

CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
May 4, 1999, 9:00 A.M.

City Hall
455 North Main

ORDER OF BUSINESS

- Call to Order
- Invocation -- Ami Angell
- Pledge of Allegiance
- Approve the minutes of the previous meeting

AWARDS AND PRESENTATIONS

Wichita's Promise - Youth Community Service Awards.

Distinguished Service Citation.

Proclamations.

UNFINISHED BUSINESS

1. Repair or Removal of Dangerous and Unsafe Structure - 5503 N. Sullivan. (District VI)

On February 23, 1999, the City Council adopted a Resolution to allow 60 days for settlement of the estate.

RECOMMENDED ACTION: Take appropriate action.

2. CU-500 - Conditional Use Request to Allow Vehicle Sales on Property Located at the Southeast Corner of Rock Road and Harry Street. (District II)

The City Council referred the item to the MAPC and CPO 2 on February 9, 1999, for reconsideration. (Deferred from April 20, 1999, at request of applicant.)

RECOMMENDED ACTION: Concur with the findings of the MAPC; approve the request subject to conditions;
OR deny the request.

3. DP-241 - Request for the Approval of the Neville Property C.U.P.; and SCZ-0785 - Request Zone Change from "SF-6" Single Family Residential to "LC" Limited Commercial, Generally Located North of Kellogg and West of

167th Street West. (District V)

Deferred from April 20, 1999, at request of Council Member Martz.

RECOMMENDED ACTION: Concur with the findings of the MAPC; approve the zone change and C.U.P., subject to Platting within one year and the recommended conditions; instruct the Planning Department to forward the Ordinance for first reading when the Plat is forwarded to the City Council; OR return the application to the MAPC for reconsideration.

NEW BUSINESS

4. Petition for Lark Lane Improvement, South of Kellogg. (District V)

A Petition has been submitted representing 52.7% of the improvement district area.

RECOMMENDED ACTION: Approve the Petition; and adopt the Resolution.

5. Petition to Pave Brentwood, from Clark to Mt. Vernon. (District III)

A Petition has been submitted representing 55.6% of resident owners in the improvement district area.

RECOMMENDED ACTION: Approve the Petition; adopt the Resolution; and authorize Staff to select a design engineer.

6. Maple Street Improvement, from Maize to 119th Street West. (District V)

The Capital Improvement Program includes a project to reconstruct Maple Street to four lanes, install sidewalks and landscaping in the available right-of-way.

RECOMMENDED ACTION: Approve the project; and approve first reading of the Ordinance.

(10:30 a.m.)

7. Art Museum Expansion Project. (District VI)

The City Council will consider an Improvement Vision produced by the Wichita Art Museum's Board of Trustees.

RECOMMENDED ACTION: Adopt the Resolution; authorize Staff to solicit and select a design consultant; and defer funding decision pending review of Capital Improvement Program.

(11:00 a.m.)

8. Repair or Removal of Dangerous and Unsafe Structures.

Hearings will be conducted for the following properties:

1602 N. Ash (District I)

1543-45 Northeast Parkway (District I)

RECOMMENDED ACTION: Close the public hearing; and adopt the Resolutions.

(11:30 a.m.)

9. Presentation by McConnell Air Force Base.

Representatives from McConnell will update the City Council on preparations for the 1999 McConnell Air Show and Open House.

RECOMMENDED ACTION: Receive and file.

CITY COUNCIL AGENDA

10. Proclamations:

--Decorative Painting Week

--Small Business Week

--Public Service Recognition Week

RECOMMENDED ACTION: Authorize issuance of the Proclamations.

CONSENT AGENDA

11. Report of the Board of Bids and Contracts Dated May 3, 1999.

RECOMMENDED ACTION: Receive and file the report; approve the Contracts; and authorize the Mayor to sign.

12. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	1999	(Consumption on Premises)
Andy Nguyen	Cantonese Restaurant*	403 North Seneca
<u>New Establishment</u>	1999	(Consumption on Premises)
Erik Somers	Atomic Burrito of Wichita I LCC*	310 North Rock Road
<u>New Operator</u>	1999	(Consumption on Premises)
Bob Scofield	Chug-A-Lug	5111 West 13th

*General/Restaurant -- 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve the licenses subject to Staff review and approval.

13. Subdivision Plans and Specifications.

RECOMMENDED ACTION: Approve and advertise for bids to be submitted to the Board of Bids.

14. Preliminary Estimates:

- a. Water distribution system on Edwards Avenue, south of May Southwest Industrial Park - west of Meridian, south of K-42. (448-89371/734916/470586) Does not affect existing traffic. City Council approval date: 3/2/98. (District IV) - \$32,978.00
- b. 1999 sanitary sewer reconstruction program, Phase 1 - north of Kellogg, east of Broadway. (468-82970/620258/669383) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 1/26/99. (Districts I, IV, VI) - \$494,554.08
- c. Lateral 289, Southwest Interceptor Sewer to serve Harvest Chapel Addition - 55th Street South and Seneca. (468-82033/740381/480128) Traffic to be maintained through construction. City Council approval date: 1/23/90. (District IV) - \$21,100.00
- d. Rita from the west line of Lot 12, Block 1 to the west line of Stony Point Lane; Stony Point Circle from the south line of Rita to and including cul-de-sac; Stony Point Lane from the south line of Rita to the west line of Rita; and Jewell Court from the south line of Lindsay's Orchard Addition - north of Pawnee, west of Maize. (472-83058/765567/490678) Does not affect existing traffic. City Council approval date: 1/12/99. (District V) - \$181,000.00
- e. 1999 Sanitary Sewer Reconstruction Program, Phase 2, Eaton Place - south of Douglas, east of Broadway. (468-82978/620261/669386) Traffic to be maintained during construction using flagperson and barricades. City Council approval date: 1/26/99. (District I) - \$48,016.50
- f. Wild Rose from the south line of Lot 81, Block 4 and the south line of Lot 18, Block 6, to the north line of Lot 76, Block 4 and the north line of Lot 14, Block 6; Forest Lakes from the south line of Lot 48, Block 3, and the south line of Lot 7, Block 6, to the north Forest Lakes Addition - north of 29th Street North, west of Ridge. (472-82326/765568/490679) Does not affect existing traffic. City Council approval date: 4/6/93. (District V) - \$167,174.00

RECOMMENDED ACTION: Approve and file.

15. Minutes of Advisory Boards/Commissions:

Board of Health, 4-8-99
Board of Park Commissioners, 4-12-99
Wichita Historic Preservation, 3-8-99
Wichita Human Services Board, 3-23-99

RECOMMENDED ACTION: Receive and file.

16. Annual Report of Advisory Boards/Commissions.

Public Art Advisory Board, 1998.

RECOMMENDED ACTION: Receive and file.

17. Consideration of Street Closures/Uses.

RECOMMENDED ACTION: Approve the street closures/uses.

18. Agreements/Contracts:

- a. Design services for water distribution system - south of 61st Street North, east of the Little Arkansas River. (District VI)
- b. Design services for Hunters Ridge Addition and Pawnee Mesa Addition - north of Pawnee, west of Maize. (District V)
- c. Design services for Dillon 12th Addition and Balthrop Addition - north of 13th Street, east of Greenwich. (District II)
- d. Construction engineering for Meridian - from Maple to Central. (Districts IV & VI)
- e. Easement encroachment for Global Engineering, Richmond Third Addition. (District IV)

RECOMMENDED ACTION: Approve the agreements/Contracts and authorize the necessary signatures.

19. Supplemental Agreements:

- a. Construction for Maple and Seneca. (District IV)
- b. Construction for 13th Street and Waco. (District VI)
- c. Traffic signalization program. (District VI)
- d. Mount Vernon Bridge over Gypsum Creek. (District III)

RECOMMENDED ACTION: Approve the supplemental agreements; and authorize the necessary signatures.

20. Ground/Surface Water Discharge Permits for Sanitary Sewer System.

RECOMMENDED ACTION: Approve the revisions.

21. Sanitary Sewer Master Plan Update.

RECOMMENDED ACTION: Approve the Contract; authorize the necessary signatures; amend the Water and Sewer C.I.P.; adopt the Resolution; and approve the notice of intent to publish.

22. Termination of Individual Guaranty - IRB - Printing, Inc. (District VI)

RECOMMENDED ACTION: Approve amending lease, termination of individual guaranty and approve first reading of the Ordinance; and authorize the necessary signatures.

23. Kansas Community Service Tax Credit Program Act Applications.

RECOMMENDED ACTION: Approve the applications; and authorize the necessary signatures.

24. Sale of 920 East First Street. (District VI)

RECOMMENDED ACTION: Approve the sale of property and the Contract; and authorize the necessary signatures.

25. First Reading Ordinance.

An Ordinance making a special assessment to pay the cost of unpaid sewer service charges and/or water service charges.

RECOMMENDED ACTION: Approve first reading of the Ordinance.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5 p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

*Consent Items

26. V-2139 - Public Hearing Request to Vacate Access Control Located in an Area South of 13th Street North and East of Oliver. (District I)

MAPC Recommendation: Approve vacation of access control.

Staff Recommendation: Approve vacation of access control.

RECOMMENDED ACTION: Close the public hearing; approve the dedication and the vacation order; and authorize the Mayor to sign.

*27. D-1754 - Dedication of Utility Easement Located on the Southeast Corner of 29th Street South and West Street. (District IV)

MAPC Recommendation: Approve the dedication.

RECOMMENDED ACTION: Approve the dedication.

*28. D-1755 - Dedication of Utility Easement Located on the Southeast Corner of 33rd Street North and Amidon. (District VI)

MAPC Recommendation: Approve the dedication.

RECOMMENDED ACTION: Approve the dedication.

- *29. D-1756 - Dedication of Street Right-of-Way Located on the Southeast Corner of 33rd Street North and Amidon.
(District VI)

MAPC Recommendation: Approve the dedication.

RECOMMENDED ACTION: Approve the dedication.

- *30. D-1757 - Dedication of Utility Easement Located on the Southeast Corner of 33rd Street North and Amidon.
(District VI)

MAPC Recommendation: Approve the dedication.

RECOMMENDED ACTION: Approve the dedication.

- *31. S/D 97-50 - Plat of Trinity Academy Addition Located South of 21st Street North, West of 127th Street East.
(District II)

MAPC Recommendation: Approve the Plat.

Staff Recommendation: Approve the Plat.

RECOMMENDED ACTION: Approve the sewer and water improvement Petitions and adopt the Resolutions;
approve the Plat and authorize the Mayor to sign.

32. Z-3299 - A Zone Change Request from "MF-18" Multi-Family Residential to "MF-29" Multi-Family Residential.
Located North of 29th Street North and East of Penstemon. (District II)

MAPC Recommendation: November 19, 1998, Deny; April 15, 1999, Approve.

CPO Recommendation: November 9, 1998, approve; April 12, 1999, Moot vote.

Staff Recommendation: Approve, subject to the conditions of a protective overlay.

RECOMMENDED ACTION:

1. Concur with the findings of the MAPC and approve the zone change subject to the conditions of a protective overlay; place the Ordinance establishing the zone change on first reading; withholding the publication of the Ordinance until a Petition for street improvements on 29th Street has been reviewed and accepted;
2. Deny the request; OR
3. Return the application to the MAPC for reconsideration.

Adjournment

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